

Appeal Decision

Site visit made on 31 January 2017

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2017

Appeal Ref: APP/C4235/D/16/3161128

10 Turnberry Road, Heald Green, Cheadle SK8 3EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Abdul Qayum against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/062070, dated 24 May 2016, was refused by notice dated 11 August 2016.
 - The development proposed is a front boundary wall and railings and hardstanding.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I could see from my site visit that a boundary wall had already been erected across the front of the appeal site, however my findings are based on the front boundary wall and railings that have been applied for. Furthermore I noted that the hardstanding had already been laid. I have therefore determined the appeal on this basis.

Main Issues

3. The main issues are: (i) the effect of the proposed front boundary wall and railings on the character and appearance of the area; (ii) whether or not adequate arrangements are made for the disposal of surface water from the site; and (iii) whether the proposed boundary treatment would affect the safety of pedestrians using Turnberry Road.

Reasons

Character and Appearance

4. The appeal site is a large detached dwelling set within spacious grounds fronting Turnberry Road which is a cul de sac containing similarly detached dwellings. With the exception of 18 Turnberry Road, the remainder of the road, like the wider estate is strongly characterised by its open plan design that provides for landscaped gardens and a sense of space. Each dwelling in Turnberry Road has a driveway in front, while there are occasional low hedges across the front boundary.
 5. While the proposed boundary treatment would be lower than the wall in situ, it would nevertheless be positioned at the back of the footway and extend across
-

the full width of the site, save for the driveway. Consequently it would enclose the front boundary of the site with a long solid edge which would be a marked difference to the former low hedge and open grassed frontage that lined the boundary. While the proposed wall and railings appear to be well designed and the railings would allow views through to the proposed hedge, due to the intended use of black paint and brick pillars, I consider that it would be a prominent feature in the road, having regard to neighbouring plots. This would result in a harmful erosion of the open plan nature of Turnberry Road.

6. I have been directed by the appellant towards examples on Gleneages Road and St Andrews Road¹. However, I do not consider them to be directly comparable as none have railings and in the cases of 20 St Andrews Road, 79 and 92 Gleneages Road their plot widths are significantly smaller than the appeal site. While 29 Gleneages Road uses a solid brick wall, the appeal site has a very different context in that it does not have the aid of the grassed open land to the front. While concerns have been raised about the proposal setting a precedent, I am not satisfied that this would necessarily be the case and in any event I have considered the proposal on its own merits.
7. For these reasons, I therefore conclude that the proposed development would significantly harm the character and appearance of the area. As such it would not accord with Policy SIE-1 of the Core Strategy Development Plan Document (Core Strategy) and saved Policy CDH1.8 of the Stockport Unitary Development Plan Review; which together seek to, amongst other things, ensure the design of development has regard to the site's context and does not adversely affect the character of the street scene.

Drainage

8. Policy SD-6 of the Core Strategy explains that *where planning permission is required, areas of hard-standing or other surfaces, should be of a permeable construction or drain to an alternative form of SuDS (Sustainable drainage systems)*. The supportive text to the policy also explains that *the use of impermeable surfacing, therefore, will not be permitted unless it is designed in such a way as to drain into an alternative form of SuDS*.
9. While the appellant considers the proposal would comply with Policy SD-6, the impermeable area directly in front of the dwelling has replaced the former landscaped front garden which would have allowed the gradual release of surface waters into the ground. Instead surface waters now drain into an aco drain which runs along the dwelling's front elevation and into the mains drainage. This is not a form of SuDS and the scheme as a result would not comply with Policy SD-6.
10. The appellant also suggests that the hardstanding to the side and rear would be permitted development², as these areas, which are also impermeable, have been designed to drain into the planting beds adjacent to the flank boundary and into the large lawn to the rear. Both of which, in theory would provide natural soakaways. However, the fall of the hardstanding I noted on site would not facilitate this and the lawn area to the rear is raised. As a consequence, large areas of the hardstanding, would instead direct surface waters into aco

¹ Appendix 1, Supporting Statement

² The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class F

drains adjacent to the dwelling's flank elevation or across the back of the front driveway. The proposal would not therefore direct surface water run-off to a permeable or porous area and as such I do not consider that the remaining areas of hardstanding would be permitted development.

11. While the proposal would not lead to surface waters finding their way onto Turnberry Road and affecting highway safety, the proposal would not assist in adapting the site to the impacts of climate change, with particular regard to flooding. The proposal would not reduce the causes and impacts of flooding as explained in paragraph 100 of the Framework. Consequently, there would be an increase in the risk of flooding of the downstream catchment as a result of the overloaded of rivers and sewers. Although the appellant has invited me to attach a condition, in the event that I consider additional drainage measures to be required, I have concerns with the drafting a condition with sufficient precision to specifically address the issues presented by the appeal scheme.
12. For these reasons, the proposal would not make adequate arrangements the disposal of surface water from the site and would be contrary to Policy SD-6 of the Core Strategy and paragraph 100 of the Framework; which together seek to ensure areas of hardstanding are of a permeable construction or drain to an alternative form of SuDS to mitigate the impacts of flooding.

Highway Safety

13. There is a single pedestrian footway in this part of Turnberry Road which extends along the site's frontage. I appreciate the Council seeks a visibility splay of 1 metre by 1 metre adjoining the access, however, I consider that the proposed boundary treatment would not, despite its position, height and style, prevent drivers or pedestrians from maintaining a satisfactory visibility of one another. Added to this, the number of pedestrian movements on Turnberry Road would be limited to the occupants of the dwellings and any visitors. In tandem with the slow speed at which vehicles would egress from the site onto the highway, I do not consider that the safety of pedestrians would be compromised. I also appreciate that the proposed hedge could be subject of a planning condition to ensure that it is planted with regard to pedestrian safety.
14. I therefore conclude that the proposed boundary treatment would not affect the safety of pedestrians using Turnberry Road. The proposal would comply with Policy T-3 of the Core Strategy which seeks to ensure proposals are of a safe and practical design, with safe and well designed access arrangements.

Other Matter

15. I recognise the appellant has put forward proposals with a view to finding an acceptable solution and that I have found no harm in relation to highway safety. However these matters do not outweigh my findings on the first and second main issues. While the appellant has requested a split decision be issued, I have found both aspects of the proposal to be unacceptable.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR